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VIA ECF

Hon. André M. Espinosa, U.S.M.J.
U.S. District Court of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

Re: **Airtech International Inc. v. Yim, et al.; Case 2:22-cv-00668-MEF-AME**

Dear Judge Espinosa:

The parties write pursuant to the November 17, 2024 Text Order (*D.E. 270*) directing the parties to file a joint status letter three days in advance of the January 16, 2025 case management conference.

The parties have continued to work cooperatively throughout discovery and have met all deadlines set forth in the Amended Case Management Order, (*D.E. 269*). As set forth in that Order, the Parties exchanged letters identifying additional sources of files to be collected and identified all open discovery deficiencies to be corrected. The parties served responsive letters to these items as contemplated by the Amended Case Management Order and exchanged supplemental discovery requests on December 24, 2024. The parties also exchanged letters on January 7, 2025 proposing agreements regarding non-party discovery. The parties continue to cooperate to address the open items addressed in the aforementioned letters.

I. Plaintiff's Position

Plaintiff consents to the foregoing joint statement of discovery status. In the interest of providing some detail to the Court for planning purposes, Plaintiff advises as to its discovery requests directed to Defendants, Defendants, with Plaintiff's cooperation, continue to work on the Gmail Production as to accounts not yet accessed and to seek cloud accounts identified by

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Plaintiff. Defendants also have undertaken to review their document productions to date to determine if specific categories of requested documents were produced or omitted from them.

Both sides also have taken issue with certain objections to discovery requests interposed by the other side and one or more of these disagreements will require resolution by the Court. For Plaintiff's part, it will seek court assistance regarding Defendants' objection to producing bank and financial records dated after September 30, 2021 and Plaintiff's request for such production to be made to the present based on disclosures in the Gmail Production.

In light of the responses to the newly served discovery requests being due by January 23 and 27, 2025 and the substantial completion deadline for document production being due February 24, 2025, Plaintiff proposes additional dates to maintain the schedule:

February 7, 2025 – Parties to designate deficiencies in responses to the new discovery requests now pending and to identify any previously identified deficiencies which remain unresolved.

February 18, 2025 – Counsel to meet and confer to agree on unresolved deficiencies to be subjects of letter motions to compel to be scheduled by the Court. Issues to be listed in the joint status report due February 28, 2025.

II. Defendants' Position

Defendant have no update from the positions set forth in their portion of the September 17, 2024 and October 17, 2024 joint status letters to Court (D.E. 264, 266) other than to confirm that Defendants continue to cooperate with Plaintiff to address and remediate all outstanding open discovery items. Defendants agree to the proposed February 7, 2025 and February 18, 2025 meet and confer dates proposed by counsel.

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Respectfully submitted,

BRACH EICHLER, LLC

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